

**FILE COPY****PATENT****UNITED STATES PATENT AND TRADEMARK OFFICE**

(Case No. MBHB02-763-B; 400/129)

**IN THE APPLICATION OF:**

McSwiggen, et al.

Serial No. 10/667,271

Filed: September 16, 2003

Title RNA Interference Mediated  
Inhibition Of Hepatitis C Virus  
(HCV) Gene Expression Using Short  
Interfering Nucleic Acid (siNA)

Examiner: To Be Assigned

Group Art Unit: 1632

Confirmation No.: 8658

Fax No.: (703) 746-9195

**FACSIMILE TRANSMITTAL LETTER**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450Attn: Office of Initial Patent Examination  
Filing Receipt Corrections

Dear Sir:

In regard to the above identified application,

1. We are transmitting herewith the attached:
  - a) Request for Corrected Filing Receipt;
  - b) Copy of Updated Filing Receipt with changes noted thereon;
  - c) Return postcard
2. With respect to fees:
  - a) It is believed no fee is due at this time.
3. **GENERAL AUTHORIZATION:** Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.

McDONNELL BOEHNNEN HULBERT & BERGHOFF LLP  
300 SOUTH WACKER DRIVE  
CHICAGO, ILLINOIS 60606  
TELEPHONE (312) 913-0001  
FACSIMILE (312) 913-0002

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4. CERTIFICATE UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being transmitted with the USPTO facsimile number 703/746-9191, according to 37 CFR § 1.6(d) addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, ATTN: Office of Initial Patent Examination's Filing Receipt Corrections, on this 14 day of October, 2004.

Respectfully submitted,  
**McDonnell Boehnen Hulbert & Berghoff LLP**

Date: October 14, 2004

By: 

Lisa M.W. Hillman  
Registration No. 43,673

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## PATENT

UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. MBHB02-763-B; 400/129)

IN THE APPLICATION OF:

McSwiggen, et al.	)	Examiner:	TBA
Serial No. 10/667,271	)	Group Art Unit:	1632
Filed: September 16, 2003	)	Confirmation No.:	8658
Title RNA Interference Mediated	)	Fax No.:	(703) 746-9195
Inhibition Of Hepatitis C Virus	)		
(HCV) Gene Expression Using Short	)		
Interfering Nucleic Acid (siNA)	)		

REQUEST FOR CORRECTED FILING RECEIPT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attention: Office of Initial Patent Examination's  
Filing Receipts Corrections

Dear Sir:

1. Attached is a copy of the updated filing receipt received from the PTO in the above-referenced application for which issuance of a new corrected filing receipt is respectfully requested.
2. There is an error with respect to the following data, which is incorrectly entered.  
**Error in**  
Domestic Priority data as claimed by applicant:  
This application is a CIP of 10/444,853 05/23/2003

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MCDONNELL BOENEN HULBERT & BERGHOF LLP  
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which is a CIP of PCT/US03/05043 02/20/2003  
and is a CIP of PCT/US03/05043 02/20/2003  
and is a CIP of PCT/US02/09187 03/26/2002  
and is a CIP of PCT/US03/05043 02/20/2003  
which claims benefit of 60/401,104 08/05/2002  
and claims benefit of 60/358,580 02/20/2002  
and claims benefit of 60/363,124 03/11/2002  
and claims benefit of 60/386,782 06/06/2002  
and claims benefit of 60/406,784 08/29/2002  
and claims benefit of 60/408,378 09/05/2002  
and claims benefit of 60/409,293 09/09/2002  
and claims benefit of 60/440,129 01/15/2003

**Correct Data**

Domestic Priority data as claimed by applicant:

This application is a CIP of 10/444,853 05/23/2003  
and is a CIP of PCT/US03/05043 02/20/2003  
which is a CIP of PCT/US02/09187 03/26/2002  
and said PCT/US03/05043 02/20/2003  
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and claims benefit of 60/408,378 09/05/2002  
and claims benefit of 60/409,293 09/09/2002  
and claims benefit of 60/440,129 01/15/2003

3. The correction is not due to any error by applicant and no fee is due.

Respectfully submitted,  
McDonnell, Boehnen, Hulbert & Berghoff LLP

Date: October 14, 2004

By: 

Lisa M.W. Hillman  
Registration No. 43,673

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1459  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/667,271	09/16/2003	1632	575	MBHB02-763-B(400/129))	24	35	2

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CONFIRMATION NO. 8658

-UPDATED FILING RECEIPT



"OC000000013235087"

Date Mailed: 07/14/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

James McSwiggen, Boulder, CO;  
Leonid Beigelman, Longmont, CO;  
Dennis Macejak, Arvada, CO;

## Domestic Priority data as claimed by applicant

This application is a CIP of 10/444,853 05/23/2003  
which is a CIP of PCT/US03/05043 02/20/2003  
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## Foreign Applications

UNITED STATES OF AMERICA PCT/US03/05043 02/20/2003  
UNITED STATES OF AMERICA PCT/US02/09187 03/26/2002

If Required, Foreign Filing License Granted: 01/02/2004

BEST AVAILABLE COPY

Projected Publication Date: 10/21/2004

Non-Publication Request: No

Early Publication Request: No

**\*\* SMALL ENTITY \*\***

**Title**

RNA interference mediated inhibition of hepatitis C virus (HCV) gene expression using short interfering nucleic acid (siNA)

**Preliminary Class**

514

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

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This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

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**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).